

Applicant's Remarks

Claim Rejections Under 35 USC §102

The Office Action dated 10/24/03 in this case indicates that claims 1-6 and 10-16 are rejected under 35 USC § 102(b) as being anticipated by Shulman et al. US 5,409,629 stating that:

"Shulman et al teach acrylic acid/ethyl acrylate copolymers for use in liquid laundry detergents (see abstract). An example of such a composition comprises from 0.5 to 5% acrylic acid/ethyl acrylate co-polymer, up to 25% corrosion inhibitor, and up to 5% graying inhibitors (either the corrosion inhibitor or the graying inhibitor satisfies the auxiliary stabilizer limitation of the present claims) (col. 7, claim 1)."

Applicant notes that in order for a rejection under 35 USC 102(b) to be proper, "the reference must teach every aspect of the claimed invention" (MPEP rev. 1, February 2003; 706.02(a) pp. 700-21, col. 1 under the heading "DISTINCTION BETWEEN 35 USC 102 AND 103".)

Applicant's claim 1 contains the limitation that the compositions embraced by its metes and bounds are structured surfactant systems. The Shulman et al. reference does not teach structured surfactant systems. Therefore, the Shulman et al reference does not teach all of the limitations of Applicants claims and hence a rejection of claims 1-6 and 10-16 under 35 USC § 102 is not proper, and this rejection must be withdrawn.

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Claim Rejections Under 35 USC 103 (a)

The 10/24/03 Office Action has indicated that claims 1-20 are rejected under 35 USC § 103(a) as being unpatentable over Shulman et al (US 5,409,629), in view of Cao et al (US 4,931,195) stating that:

"Shulman et al are relied upon as set forth above. Note that additional stabilizers are taught by Shulman et al as suitable in their liquid detergents (col. 4, lines 3-8). Shulman et al do not specifically teach the addition of clays as stabilizers. Cao et al teach liquid laundry detergents containing organophilic modified clays as stabilizers (see abstract). Such clays are well known in the detergent arts to stabilize liquid detergents. It would have been obvious to one of ordinary skill in the art to prepare a liquid detergent containing two well known stabilizers, based on teachings of the prior art, and so render obvious the present claims."

With regards to the making a *prima facie* case of obviousness under 35 USC §103(a), Applicant notes that MPEP section 706.02(j) sets forth the three basic criteria which must be met:

"1) There must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings;
2) there must be reasonable expectation of success; and
3) the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based upon applicant's disclosure."

Applicants respectfully submit that not all of the criteria above are met in the present case with respect to any of instantly-pending claims 1-20.

In particular, the combination of references cited in the Office Action dated 10/24/03 do not meet all of the limitations of Applicants' instant claims. Applicant's claims are directed to

structured liquid surfactants. None of the prior art cited provides structured surfactant system, and no combination of the references cited as prior art in the present application teach structured liquid surfactants. Therefore, the rejection of claims 1-20 under 35 USC § 103(a) should be withdrawn, and a Notice of Allowance should be promptly issued respecting claims 1-20 to avoid any further delays in Assignee acquiring its patent rights.

Thus, Applicant believes that all pending claims in this application, as amended herein, should now be in condition for allowance. Thank you for your consideration.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Chris Whewell", written in a cursive style.

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